

REMARKS

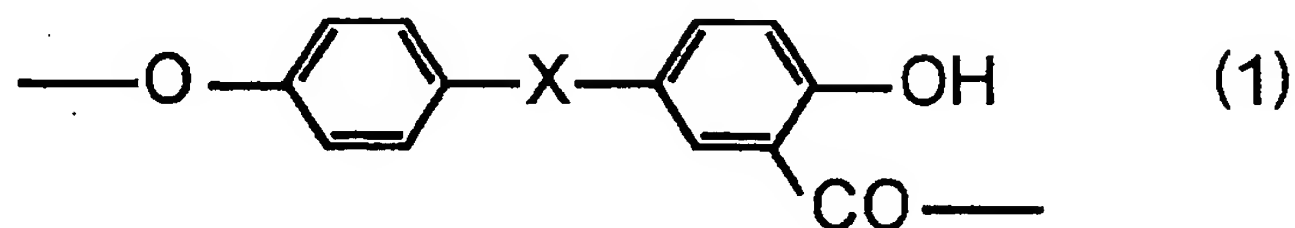
Claims 1, 3-49 are active in this application. The Examiner asserts that Claims 14, 26 and 38 that were added in the Amendment filed November 8, 2004, do not contain subject matter which was previously indicated as allowable. Applicants disagree. Applicants attempted to discuss this matter with the Examiner, however in view of the Examiner's maternity leave a discussion could not be scheduled.

In the Office Action of August 13, 2004, Examiner Boykin had indicated **allowability of Claims 2-13** over the prior art of record. Only Claim 1 was rejected over the prior art.

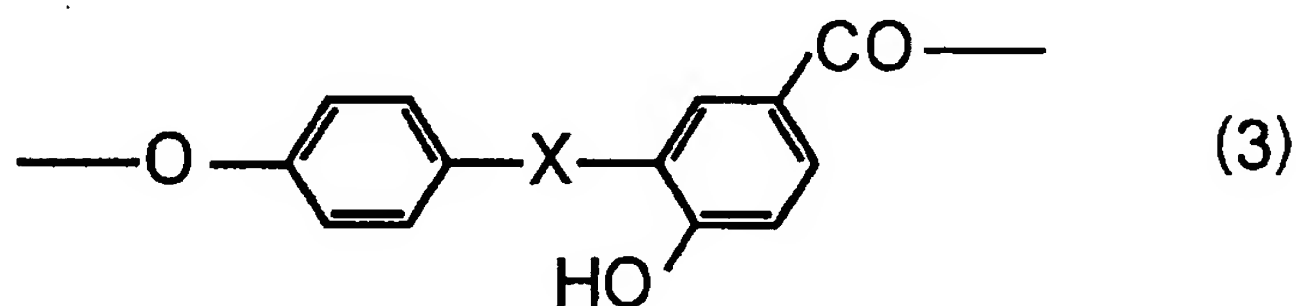
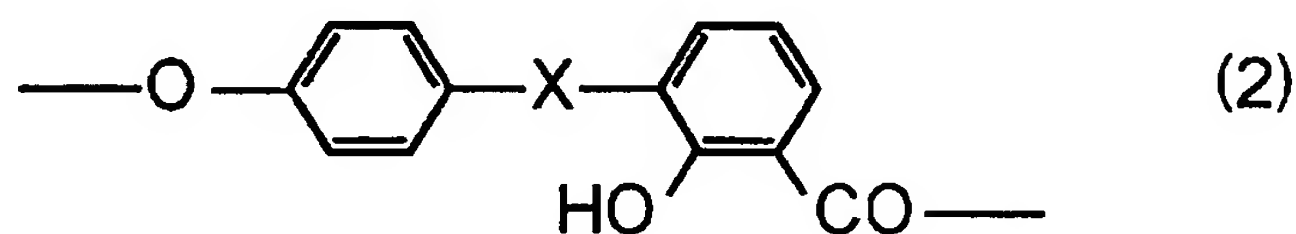
In response, Applicants included the limitations of Claim 2 in Claim 1. Claims 14-49 were added. **Claim 14** includes the limitations of Claims 1 and 3 as originally filed. **Claim 26** includes the limitations of Claims 1 and 4 as originally filed. **Claim 38** includes the limitations of Claims 1 and 6 as originally filed.

Applicants have reproduced Claims 1, 14, 26 and 38 below, **highlighting the subject matter that was indicated as allowable by the Examiner.**

1. (Previously Presented) A branched aromatic polycarbonate produced by transesterification and having a viscosity average molecular weight of at least 16,000, wherein the amount of structural units of the following formula (1) contained in its main chain is within a range of from 2,000 to 50,000 wtpm, and the amounts of structural units of the following formulae (2) and (3) contained in its main chain are within a range of from 30 to 10,000 wtpm, respectively:

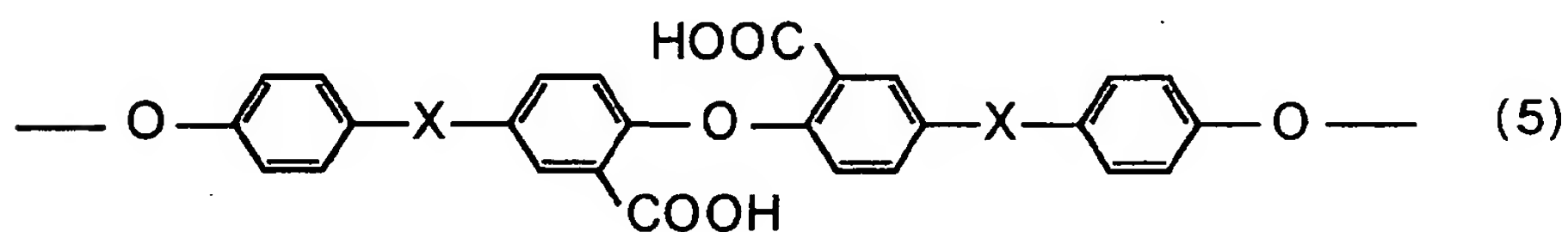
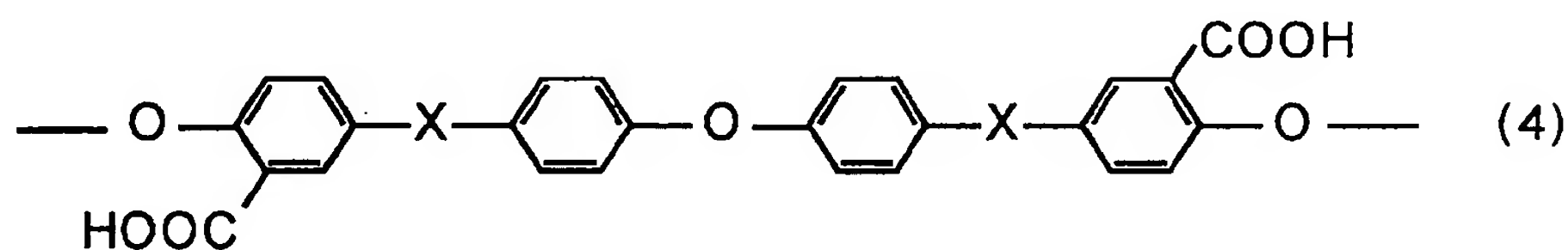


wherein X is a single bond, a C₁₋₈ alkylene group, a C₂₋₈ alkylidene group, a C₅₋₁₅ cycloalkylene group, a C₅₋₁₅ cycloalkylidene group or a member selected from bivalent groups represented by -O-, -S-, -CO-, -SO- and -SO₂-,



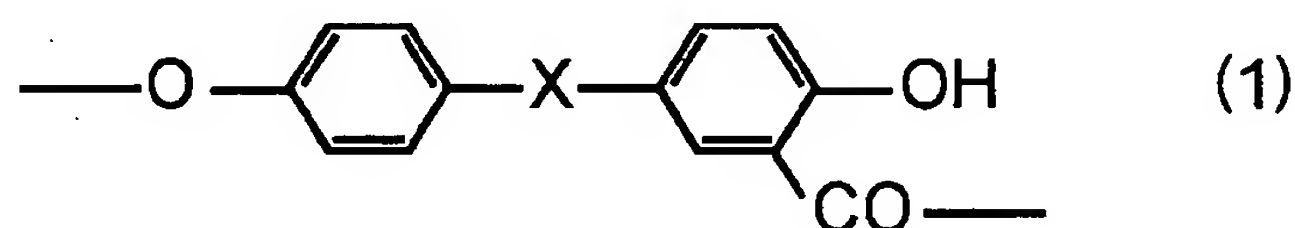
wherein X is a single bond, a C₁₋₈ alkylene group, a C₂₋₈ alkylidene group, a C₅₋₁₅ cycloalkylene group, a C₅₋₁₅ cycloalkylidene group or a member selected from bivalent groups represented by -O-, -S-, -CO-, -SO- and -SO₂-;

wherein the total amount of structural units of the following formulae (4) and (5) contained in its main chain is within a range of from 10 to 10,000 wtpm:

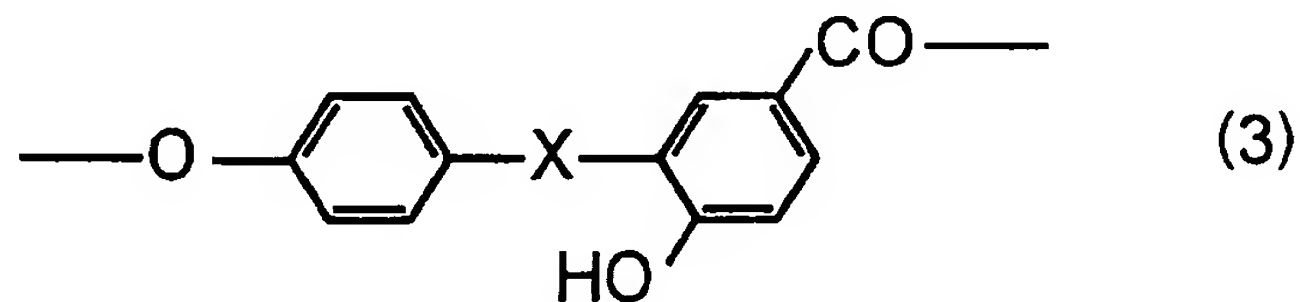
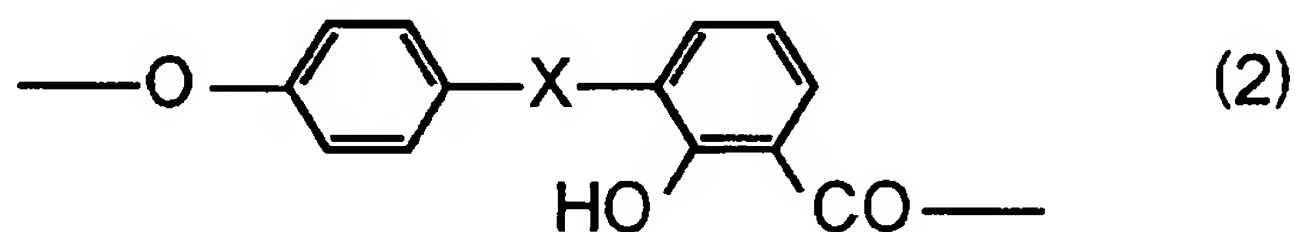


wherein X is a single bond, a C₁₋₈ alkylene group, a C₂₋₈ alkylidene group, a C₅₋₁₅ cycloalkylene group, a C₅₋₁₅ cycloalkylidene group or a member selected from bivalent groups represented by -O-, -S-, -CO-, -SO- and -SO₂-.

14. (Previously Presented) A branched aromatic polycarbonate produced by transesterification and having a viscosity average molecular weight of at least 16,000, wherein the amount of structural units of the following formula (1) contained in its main chain is within a range of from 3,000 to 10,000 wtpm, and the amounts of structural units of the following formulae (2) and (3) contained in its main chain are within a range of from 30 to 10,000 wtpm, respectively:

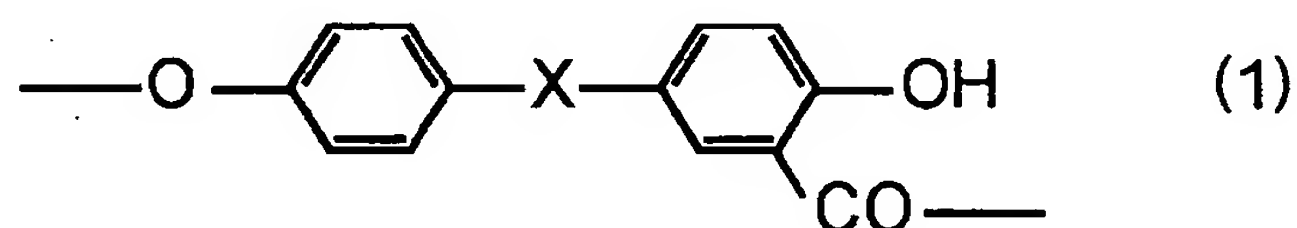


wherein X is a single bond, a C₁₋₈ alkylene group, a C₂₋₈ alkylidene group, a C₅₋₁₅ cycloalkylene group, a C₅₋₁₅ cycloalkylidene group or a member selected from bivalent groups represented by -O-, -S-, -CO-, -SO- and -SO₂-,

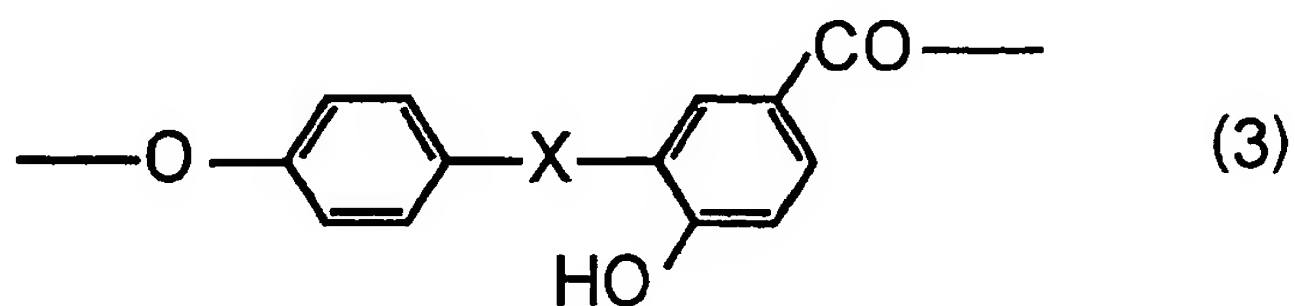
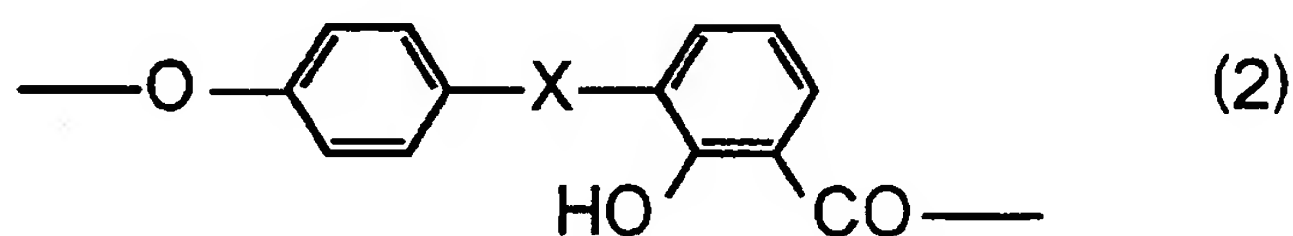


wherein X is a single bond, a C₁₋₈ alkylene group, a C₂₋₈ alkylidene group, a C₅₋₁₅ cycloalkylene group, a C₅₋₁₅ cycloalkylidene group or a member selected from bivalent groups represented by -O-, -S-, -CO-, -SO- and -SO₂-.

26. (Previously Presented) A branched aromatic polycarbonate produced by transesterification and having a viscosity average molecular weight of at least 16,000, wherein the amount of structural units of the following formula (1) contained in its main chain is within a range of from 2,000 to 50,000 wtpm, and **the amounts of structural units of the following formulae (2) and (3) contained in its main chain are within a range of from 30 to 5,000 wtpm, respectively:**

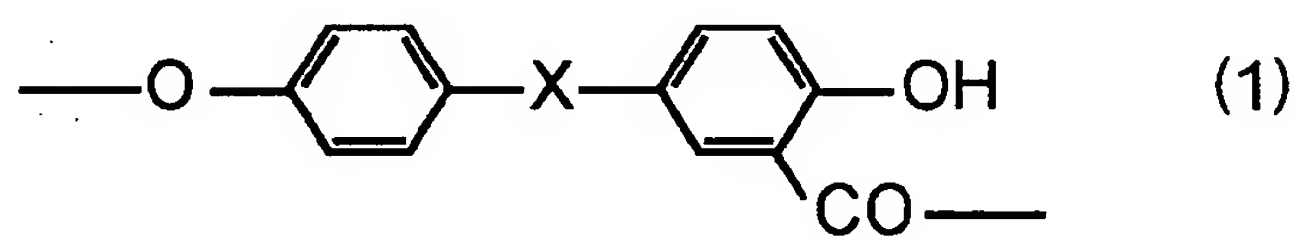


wherein X is a single bond, a C₁₋₈ alkylene group, a C₂₋₈ alkylidene group, a C₅₋₁₅ cycloalkylene group, a C₅₋₁₅ cycloalkylidene group or a member selected from bivalent groups represented by -O-, -S-, -CO-, -SO- and -SO₂-,

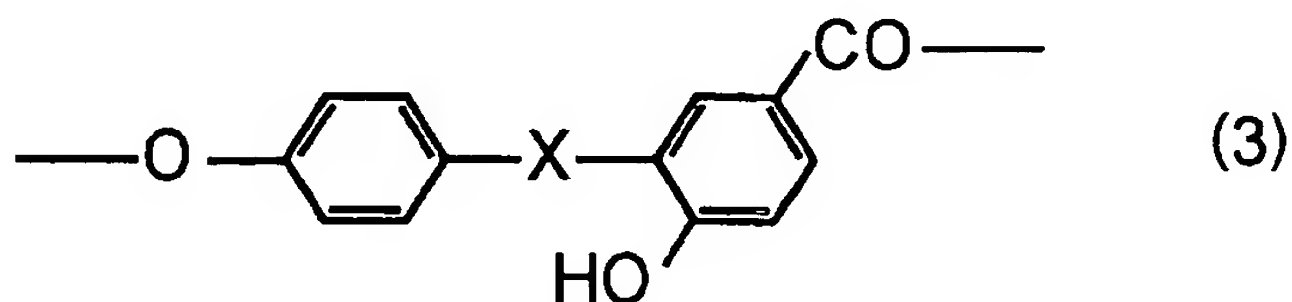
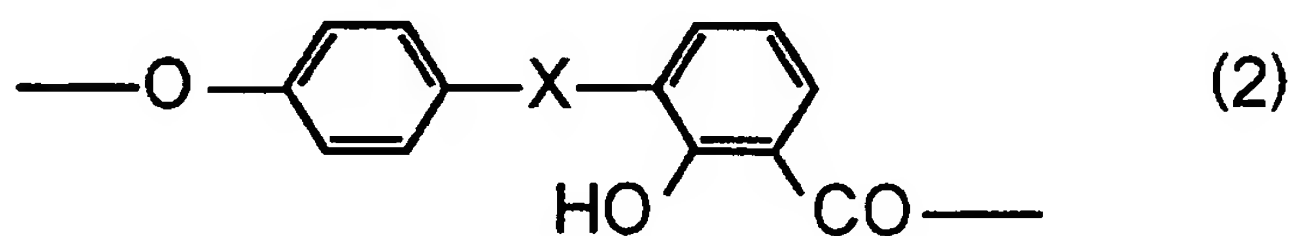


wherein X is a single bond, a C₁₋₈ alkylene group, a C₂₋₈ alkylidene group, a C₅₋₁₅ cycloalkylene group, a C₅₋₁₅ cycloalkylidene group or a member selected from bivalent groups represented by -O-, -S-, -CO-, -SO- and -SO₂-.

38. (Previously Presented) A branched aromatic polycarbonate produced by transesterification and **having a viscosity average molecular weight of at least 18,000**, wherein the amount of structural units of the following formula (1) contained in its main chain is within a range of from 2,000 to 50,000 wtpm, and the amounts of structural units of the following formulae (2) and (3) contained in its main chain are within a range of from 30 to 10,000 wtpm, respectively:



wherein X is a single bond, a C₁₋₈ alkylene group, a C₂₋₈ alkylidene group, a C₅₋₁₅ cycloalkylene group, a C₅₋₁₅ cycloalkylidene group or a member selected from bivalent groups represented by -O-, -S-, -CO-, -SO- and -SO₂-,



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wherein X is a single bond, a C₁₋₈ alkylene group, a C₂₋₈ alkylidene group, a C₅₋₁₅ cycloalkylene group, a C₅₋₁₅ cycloalkylidene group or a member selected from bivalent groups represented by -O-, -S-, -CO-, -SO- and -SO₂-.

Thus, based on the Examiner's indication of allowability of Claims 2-13, Claim 1 has been properly amended and Claims 14, 26 and 38 contain allowable subject matter. These claims including the dependent claims should be allowable.

Regarding the **provisional double patenting rejection**, Applicants wish to draw the Examiner's attention to MPEP 822.01. The Examiner is requested to withdraw the provisional rejection if it is the only issue remaining in one case and convert the provisional rejection in the other application to a double patenting rejection. MPEP 822.01.

Applicants respectfully request that the Examiner acknowledge that the references cited in the **Information Disclosure Statement**, filed in the above-identified application on **February 10, 2005**, have been considered. For the Examiner's convenience a copy of Form PTO 1449 as filed on **February 10, 2005**, is attached herewith.

Regarding the **List of Related Cases filed June 30, 2004**, Applicants note that no Form PTO-1449 is required because co-pending applications such as that cited in the List of Related Cases are not cited on the front of the patent. Applicants note that the Examiner did consider co-pending application Serial No. 10/813,042, as she used it for the provisional double patenting rejection.

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This application presents allowable subject matter, and the Examiner is kindly requested to pass it to issue. Should the Examiner have any questions regarding the claims or otherwise wish to discuss this case, he is kindly invited to contact Applicants' below-signed representative, who would be happy to provide any assistance deemed necessary in speeding this application to allowance.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

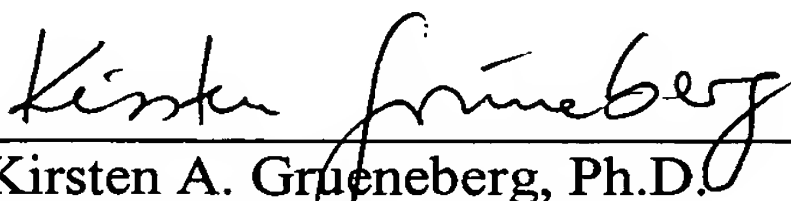
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